

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

State Ex Rel ARTHUR WEST,

Plaintiff,

v.

MARTI MAXWELL, et al.,

Defendants.

CASE NO. C10-5275BHS

ORDER GRANTING
DEFENDANTS'
MOTION TO STAY

This matter comes before the Court on Defendants' motion to stay (Dkt. 22). The Court has considered the pleadings filed in support of the motion and the remainder of the file and hereby grants the motion for the reasons stated herein.

On June 17, 2010, Defendants filed their motion to stay discovery, as well as the deadlines for the Rule 26(f) conference, initial disclosures, and the joint status report, pending resolution of their motions for summary judgment. Dkt. 22. Defendants noted the motion to stay for June 29, 2010. *Id.* Plaintiff did not respond to the motion. Local Rule CR 7(b)(2) states that when a party fails to file a response in opposition to a motion, the Court may consider such failure an admission that the motion has merit. Considering Plaintiff's lack of response to the motion and the motion itself, the Court concludes that Defendants' motion has merit and that discovery and the deadlines should be stayed.

1 Therefore, it is hereby **ORDERED** that Defendants' motion to stay (Dkt. 22) is
2 **GRANTED.**

3 DATED this 1st day of July, 2010.

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6 BENJAMIN H. SETTLE
7 United States District Judge
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